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Fax

Page 1 of 21

Urgent

Confidential

Date: 1-Apr-04

To:
Examiner: Wei Y. Zhen
USPTO

Fax:
(703) 746-5430

Art Unit:
2122

From:
Kenneth M. Seddon

Fax:
(480) 554-7738

M/S:
CH6-404

Subject:

Application No.: 09/512,395
Filed: 2/24/2000

Inventor: Jay J. Sturges

Docket No.: 42390.P0744C2

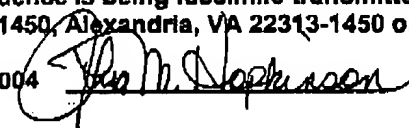
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WILL NOT BE SENT

I hereby certify that the below listed correspondence is being facsimile transmitted to the USPTO to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on Apr. 1, 04.

Lisa M. Hopkinson

Date: April 1, 2004



Included in this transmission:

Fax Cover Sheet (1 page)
Communication (4 pages)

Copy of Return Receipt Post Card for Amendment received by USPTO on 4/3/2000;
Copy of Transmittal, Fee Transmittal and an Amendment mailed to USPTO 3/27/2000 (7 pages)

Copy of Return Receipt Post Card for Amendment received by USPTO on 5/8/2000;
Copy of Transmittal, Fee Transmittal (x2), Check# 07964 for \$96, and an Amendment mailed to USPTO 5/1/2000 (9 pages)

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PATENT APPLICATION

042390.P0744C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

April 1, 2004

Jay J. Sturges

Serial No.: 09/512,395

Group Art Unit: 2122

Filed: February 24, 2000

Examiner: Wei Y. Zhen

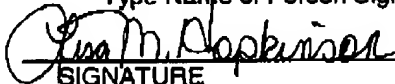
For: PROGRAMMABLE INTERPRETIVE VIRTUAL MACHINE

CERTIFICATION OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE
TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK
OFFICE ON THE DATE SHOWN BELOW.
FAX No. (703) 746-5430

Lisa M. Hopkinson

Type Name of Person Signing Certification



SIGNATURE

4-1-2004

DATE

Communication

Dear Examiner Zhen:

This communication is being sent per your suggestion during a telephone conversation on March 31, 2004, with my paralegal, Lisa Hopkinson. During the telephone conversation, we learned that the two enclosed amendments filed and received by the USPTO (as evidenced on the enclosed copies of the return receipt post cards) have not been entered in the above-identified patent application.

PATENT APPLICATION

042390.P0744C2

For your convenience, we are providing below a chronological list of communications with the USPTO in the above-identified patent application stating the status of claims.

1. Continuation Application filed on 2/24/2000 – Application No. 09/512,395.

This is a continuation of Application No. 07/663,594 filed 3/1/1991.

Claims filed: 1-20.

2. Amendment filed by applicant on 3/27/2000 and received by USPTO on 4/3/2000.

Claims 1-20 canceled.

Claims 21-32 added. (12 claims total, 2 independent)

3. Amendment filed by applicant on 5/1/2000 and received by the USPTO on 5/8/2000.

Claims 33-41 added. (21 claims total, 4 independent).

A check in the amount of \$96 was included to cover the cost of one additional claim and one additional independent claim.

PATENT APPLICATION**042390.P0744C2**

4. First Office Action mailed by the USPTO on 12/24/2002 rejecting claims 1-20 which had already been canceled in the amendment filed on 3/27/2000.
5. Response mailed by applicant on 6/24/2003 stating the current status of claims 21-41 and remarked that applicant was uncertain as to the reason for the change in the claim numbering. Applicant requested verification that the claims on file were as shown in the amendment. At this point applicant was unaware that the amendment previously filed had not been entered due to the USPTO date stamp on the returned post card receipt.
6. Notice of a Noncompliant Amendment mailed by USPTO on 6/9/2003 stating that claims 21-41 did not exist in the file.
7. Response faxed by the applicant on 7/25/2003, applicants renumbered claims 21-41 to 1-21 for the Examiner and again remarked that the applicant was uncertain as to the reason for the change in the claim numbering. Again, at this point applicant was unaware that the amendments previously filed had not been entered due to the USPTO date stamp on the returned post card receipts.
8. Communication from USPTO mailed 9/10/2003 again stating our replies were not fully responsive because claims 1-21 were different from claims 1-20 in the application.

PATENT APPLICATION

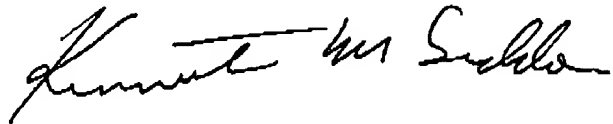
042390.P0744C2

Please review the enclosed filings and have entered in the subject application and/or advise as to what is further needed on applicant's part to have these amendments entered and continue prosecution. Reexamination and reconsideration of this application is requested. Claims 21-41 remain in the application.

If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 554-9732 is respectfully solicited.

Respectfully submitted,

Jay J. Sturges



Kenneth M. Seddon

Senior Patent Attorney

Reg. No. 43,105

Dated: 4-1-04

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